

ATTACHMENT 1



Department of Justice
Canada

Ministère de la Justice
Canada

International Assistance Group/Service d'entraide internationale
284 rue Wellington Street
Ottawa, Ontario K1A 0H8

Telephone: 613-948-3018
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Email: carol.belisle@justice.gc.ca

February 24, 2012

BY EMAIL

Office of International Affairs
U.S. Department of Justice
Bond Building, 8th Floor
1301 New York Ave., N.W.
Washington, D.C.
U.S.A. 20005

Attention: Roman Chaban

Dear Sir:

**Re: URGENT Request for Assistance to Canada from the United States in the
Matter of Henry Carl ROSENAU
Your Reference: 182-38867
Our Reference: 8550-R44**

We are in receipt of your request for assistance dated February 9, 2012, which is made pursuant to *The Treaty between the Government of Canada and the Government of the United States of America on Mutual Legal Assistance in Criminal Matters*.

The request relates to allegations of manufacture, distribution, dispensing, or possessing with intent to manufacture, distribute, or dispense a controlled substance; importation of controlled substances; and attempt and conspiracy.

The American authorities are requesting:

- The testimony of fifteen (15) Royal Canadian Mounted Police ("RCMP") officers at the trial in this matter in the US;
- The testimony of a Canada Border Services Agency ("CBSA") officer at the trial;
- Records from CBSA;
- The testimony of a Transport Canada ("TC") officer at the trial;
- Records from TC;
- The compelled depositions of two witnesses; and
- Permission for the prosecutors, the investigator, the defendant's lawyer and the defendant to attend the deposition in Canada.

For reasons of public interest we cannot accede to your request to have the defendant personally attend the witness depositions in Canada. It is however possible, pursuant to Canadian law, for Mr. ROSENAU to participate via video link. At your earliest convenience, kindly indicate whether the US authorities may be interested in pursuing this possibility.

Canada

ATTACHMENT 2



No 14781

Quesnel Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

Between

HENRY CARL ROSENAU

Plaintiff

and

KIP JOHN WHELPLEY

Defendant

BEFORE A REGISTRAR

The Plaintiff having filed and served a Notice of Civil Claim and the Defendant Kip John Whelpley having failed to file and serve a Response to Civil Claim within the time allowed:

THIS COURT ORDERS THAT:

The Defendant pay to the Plaintiff general and punitive damages to be assessed.

The Defendant pay to the Plaintiff specific damages to be assessed

THIS COURT FURTHER ORDERS THAT Kip John Whelpley be prohibited from leaving Canada for the purpose of entering the United States of America until further order of this Court, with the form of the Order to be approved by the Court on application.

THIS COURT FURTHER ORDERS THAT the Defendant pay to the Plaintiff Costs to be assessed.

Dated this 7th day of March, 2011

Gthy Bruce
District Registrar

ATTACHMENT 3

REQUESTED BY: PENN, THOMAS W
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DEPARTMENT OF HOMELAND SECURITY ICE		TECS ACCESS CODE 3	
REPORT OF INVESTIGATION		PAGE 1	
		CASE NUMBER BL05HR12BL0001	
TITLE: HENRY ROSENAU WITNESS TAMPERING			
CASE STATUS: DISP PENDNG			
REPORT DATE 032612	DATE ASSIGNED 110411	PROGRAM CODE YD0	REPORT NO. 003
RELATED CASE NUMBERS:			
COLLATERAL REQ:			
TYPE OF REPORT: INVESTIGATIVE FINDINGS			
TOPIC: ROSENAU'S OCTOBER 31, 2011 PHONE CALL WITH PADDY ROBERTS			

SYNOPSIS:

Homeland Security Investigations (HSI) Blaine, WA has discovered numerous attempts of witness tampering and obstruction in the case of US v. Henry ROSENAU. HSI Blaine, WA is further investigating the tampering violations and the parties involved. It has been learned that ROSENAU has filed two civil claims in Canada. It appears as though the civil claims are the ground work and camouflage for the obstruction and tampering in the United States case.

This report of investigation will draw attention to a phone call ROSENAU placed from the Federal Detention Center to Padraig Mac Roibeard on October 31, 2011 at 6:01pm. In the phone call Mac Roibeard admits that the only reason he filed the court order in Canada against Kip Whelpley was to prevent him from testifying against ROSENAU.

DISTRIBUTION: ASCBL SACSE CAOT	SIGNATURE: HINCKLEY JENNIFER E SPECIAL AGENT	
	APPROVED: MILLS ERIC E OI GRP SUPERVISOR	
	ORIGIN OFFICE: BL BLAINE, WA - ASAC	TELEPHONE: 360 734 7557
		TYPIST: HINCKLEY

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	REPORT NUMBER: 003

DETAILS OF INVESTIGATION

Homeland Security Investigations (HSI) Blaine, WA has discovered numerous attempts of witness tampering and obstruction in the case of US v. Henry ROSENAU. HSI Blaine, WA is further investigating the tampering violations and the parties involved. It has been learned that since ROSENAU's extradition he has filed two civil claims in Canada. It appears as though the civil claims are the ground work and camouflage for the obstruction and tampering in the United States v Henry ROSENAU case.

On October 31, 2011, at 6:01pm, Henry ROSENAU placed a phone call from the SeaTac Federal Detention Center, to Padriaig Mac Roibeaird (ROBERTS) at (250) 567-4875. ROSENAU spoke with ROBERTS about being put in jail because of ROBERTS "breach." The "breach" is referring to ROBERTS contacting WHELPLEY after pretrial services told ROSENAU that he was to have no contact, direct or indirect, with witnesses of the case.

ROSENAU and ROBERTS speak further of strategies and plans for the case during which point the following was said:

ROBERTS: "We're working very hard up here. This thing's not going away at all. Um, the um... But it's a very, very interesting thing if Whelpley's not going. And I doubt that uh... Who was saying, that it's a very hard thing for Susan Roe to try and convince him to come down?"

ROSENAU: "Well they said it's illegal for - for her to ask him to come down when he has a, when he has an order against him."

ROBERTS: "Yeah. Yeah. That's the whole purpose of why I got an order against him."

ROSENAU: "It's illegal"

ROBERTS: "Yeah."

ROSENAU: "But if you would have only faxed that...er I mean had it served, I'd be out."

ROBERTS states clearly that the reason the Canadian Order was filed against Whelpley was to prevent him from coming to the United States to testify against ROSENAU.

As of March 23, 2012, ROSENAU is schedule to go to trial on April 23, 2012.

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Whelpley will give live video testimony for the trial from Canada.

This case will be put in a pending status until the conclusion of the trial unless further issues come to the attention of HSI Blaine, WA.

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ATTACHMENT 4



Royal Canadian Mounted Police Gendarmerie royale du Canada

Security Classification / Designation
Classification / Désignation sécuritaire

5255 Heather Street
Vancouver, BC
V5Z 1K6

Your file Votre référence

October 28, 2011

Ms. Susan M. Roe
AUSA – WDMA
700 Stewart Street, #5220
Seattle, Washington 98101

Our file Notre référence

Dear Ms Roe:

Re: Regina v Henry Carl Rosenau File #2502 Vancouver [BC] Registry

Please be advised that I can confirm our tele-discussion dated October 27, 2011 with respect to the Regina v Rosenau application.

During that conversation you ".....inquired as to the effect of this Notice on the ongoing participation of RCMP in the preparation for and in upcoming trial, *United States v. Henry Rosenau, CR06-157 MJP...*".

I stated that, ".....as their counsel, I cannot advise RCMP members to participate in U.S. proceedings during the pendency of this application..." which would have the effect of rendering Mr. Rosenau's application moot and not decided on its merits.

That stated, in the spirit of candor, I can advise that retired members of the RCMP are beyond the command and control of the RCMP; and I am precluded from providing legal advice to these former members.

Should you feel I can provide further assistance/advice with respect to the US v. Rosenau matter, do not hesitate to contact me accordingly.

Regards,

Les Rose, Counsel
Royal Canadian Mounted Police
“E” Division

Canada